IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl.Misc.No.80245-M of 2006

DATE OF DECISION: MARCH 8, 2007

Lal Singh

...PETITIONER

VERSUS

The State of Punjab

...RESPONDENT

CORAM: HON'BLE MR.JUSTICE SATISH KUMAR MITTAL

Present: Mr. Gautam Dutt, Advocate,
for the petitioner.
Mr.N.S.Gill, AAG, Punjab.
Mr.Rajbir Singh, Advocate,
for the complainant.

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Petitioner Lal Singh, who is father-in-law of the deceased, has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.85 dated 7.7.2006 registered under Sections 304-B/34 IPC at Police Station Dirba, District Sangrur.

I have heard the counsel for the parties and gone through the contents of the FIR as well as the order dated 28.11.2006 passed by the Sessions Judge, Sangrur, vide which bail has been declined to the petitioner.

The aforesaid FIR has been registered on the complaint of Jasmel Singh, father of deceased Kiranpreet Kaur, on the allegations that his daughter committed suicide due to the harassment caused by her husband, mother-in-law and father-in-law (petitioner) for bringing more dowry.

Counsel for the petitioner contends that as far as the petitioner is concerned, who is about 60 years of age, he has been falsely implicated in the aforesaid case. In this case, at one stage the matter was investigated by the Deputy Superintendent of Police, who submitted his report dated 19.9.2006 in which it was found that Kiranpreet Kaur was harassed by her husband and mother-in-law for bringing more dowry, but the petitioner, who is an old man, used to work in the fields and he was not found involved in

the crime. Even on the date of the occurrence, he was working in the fields. A copy of the said report has been placed on record as Annexure P-2.

Counsel for the respondent-State contends that though at one stage in the enquiry conducted by the Deputy Superintendent of Police, the petitioner was found innocent, but the said report was not accepted by the Senior Superintendent of Police and the challan was filed. Undisputedly, the petitioner is in custody since 15.7.2006 and till date only one witness out of 26 witnesses has been examined. The trial is not going to conclude soon. The husband of the deceased is already in custody. The mother-in-law of the deceased has already been granted regular bail by this Court vide order dated October 27, 2006 passed in Crl.Misc.No.56504-M of 2006.

Keeping in view the aforesaid facts, without expressing any opinion on the merits of the case, I deem it appropriate to grant regular bail to the petitioner, and he is accordingly ordered to be released on bail to the satisfaction of the trial Court.

March 8, 2007 (SATISH KUMAR MITTAL)
vkg JUDGE